

Attorney's Docket No. 38190/239642

PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Thomas L. Weaver et al.  
Appl No.: 09/975,168  
Filed: October 11, 2001  
For: CLOSED-LOOP OPTICAL NETWORK SYSTEM  
AND AN ASSOCIATED TRANSCEIVER AND  
METHOD FOR TRANSMITTING A  
PLURALITY OF OPTICAL SIGNALS

Confirmation No. 9101

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

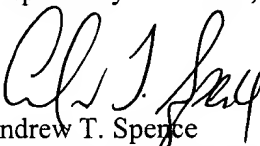
**SUBMITTAL OF DECLARATION  
UNDER 37 C.F.R. § 1.63**

Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,


  
Andrew T. Spence  
Registration No. 45,699

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on January 7, 2002.**

  
Sarah B. Simmons

CLT01/4513528v1

JAN 25 2002

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**RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION**

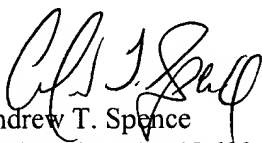
Sir:

In response to the Notice to File Missing Parts of Application dated November 13, 2001,  
enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application which has been  
executed by the named inventor(s)
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$130.00 to cover surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- ☒ Other: **Information Disclosure Statement; Eight (8) citations**

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

  
Andrew T. Spence  
Registration No. 45,699

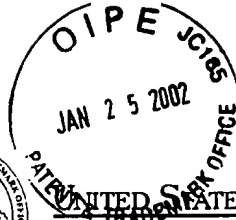
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Sarah B. Simmons



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/975,168	10/11/2001	Thomas L. Weaver	38190/239642

CONFIRMATION NO. 9101

00826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

## FORMALITIES LETTER



\*OC00000007054683\*

Date Mailed: 11/13/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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